

## REMARKS

In response to the above-identified Final Office Action, Applicant seeks reconsideration thereof. In this response, Applicant does not amend, cancel or add any new claims. Accordingly, Claims 1-25 are pending.

### I. Claims Rejected Under 35 U.S.C. §102

The Examiner rejects claims 1, 4-8, 11-15, 18-21 and 23 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,032,261 issued to Hulyalkar ("Hulyalkar"). Applicant respectfully traverses the rejection.

To anticipate a claim, the relied upon reference must disclose every limitation of the claim. *Scripps Clinic & Research Found v. Genentech*, 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991). Among other elements, independent claim 1 defines a method comprising generating an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain. Applicant respectfully submits Hulyalkar fails to teach at least these elements of claim 1.

In making the rejection, the Examiner characterizes Hulyalkar as showing a method and apparatus including generating an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain. See Paper No. 6, page 3 (citing Col. 4, line 40 to Col. 5, line 39). Applicant respectfully disagrees with the Examiner and respectfully submits Hulyalkar does not teach 1.) generating an isochronous network packet and 2.) an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain.

Hulyalkar teaches a bus bridge for interconnecting a plurality of buses. Hulyalkar, Abstract. The goal of Hulyalkar is to synchronize the cycle counters within all nodes connected to a local IEEE 1394 serial bus. Hulyalkar, Col. 4, lines 46-51. To accomplish this goal, Hulyalkar,

teaches that a cycle\_start packet (an asynchronous packet consisting of a packet header and bus\_time portions transmitted by the root node) is prepared and sent to each node, the cycle counter within each node being set to the appropriate bus\_time according to the received cycle\_start packet. Hulyalkar, Col. 4 line 58 to Col. 5, line 3. The bus\_time value is loaded into a register of the receiver node. Hulyalkar, Col. 5, lines 10-11. An appropriate processing delay, caused by either the time for performing a decoding operation or the time taken to load the bus, is determined and the delay is then added to the output, from which the outputs of each node can be synchronized. Hulyalkar, Col. 5, lines 12-18.

Applicant respectfully submits Hulyalkar teaches the generation of only the cycle\_start packet. The Examiner suggests that column four, line 40 to column five, line 29 anticipates generating a isochronous network packet, but in applicant's review of this section, applicant is unable discern any packet being generated other than the asynchronous cycle\_start packet. Accordingly, Applicant respectfully requests the Examiner to point out with particularity the lines of the cited section where the Examiner believes an isochronous network packet is being generated.

Referring to Figure 3 and the accompanying text in columns four through five, Hulyalker teaches generation and transmission of only the cycle\_start packet. At column 2, lines 54-56, it states that the cycle\_start packet is asynchronous and an asynchronous packet cannot anticipate claim 1 since claim 1 defines generating an isochronous packet. Since IEEE 1394 defines asynchronous packets and isochronous packets as distinct types of packets having specific delivery and content characteristics, Hulyalker's teaching of an asynchronous packet does not anticipate the isochronous packet claimed in claim 1. In addition, it follows that without the generation of an isochronous packet, the elements of the isochronous packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain being generated are also not taught.

Since Hulyalkar does not teach each of the elements of claim 1 as discussed above, Hulyalkar does not anticipate claim 1. Accordingly, Applicant respectfully requests withdrawal of the anticipation rejection of claim 1.

Claims 4-7 depend from claim 1 and are not anticipated by Hulyalker at least for the same reasons as claim 1. Accordingly, Applicant respectfully requests withdrawal of the anticipation rejection of claims 4-7.

Regarding the rejection of claim 8, among other elements, claim 8 defines an article of manufacture causing a processor to generate an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain similar to claim 1. Therefore, the discussion above regarding Hulyalker's failure to teach at least these elements of claim 1 is equally applicable to claim 8. Therefore, claim 8 is not anticipated by Hulyalker. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 8.

Claims 11-14 depend from claim 8 and contain all of the elements thereof. Therefore, claims 11-14 are not anticipated by Hulyalker at least for the same reasons as claim 8. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 11-14.

Regarding the rejection of claim 15, among other elements, claim 15 defines an apparatus comprising means for generating an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain similar to claims 1 and 8. Therefore, the discussion above regarding Hulyalker's failure to teach at least these elements of claims 1 and 8 is equally applicable to claim 15. Thus, claim 15 is not anticipated by Hulyalker. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 15.

Claims 18-20 depend from claim 15 and contain all of the elements thereof. Therefore, claims 18-20 are not anticipated by Hulyalker at least for the same reasons as claim 15. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 18-20.

Regarding the rejection of claim 21, among other elements, claim 21 defines a system comprising a network interface to generate an isochronous network packet including a timestamp indicating a point in time measured with respect to the reference time domain and represented as a measure of the transport time domain similar to claims 1, 8 and 15. Therefore, the discussion above

regarding Hulyalkar's failure to teach at least this element of claims 1, 8 and 15 is equally applicable to claim 21. Thus, claim 21 is not anticipated by Hulyalkar. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 21.

Claim 23 depends from claim 21 and contains all of the elements thereof, Therefore, claim 23 is not anticipated by Hulyalkar at least for the same reasons as claim 21. Accordingly, Applicant respectfully requests withdrawal of the rejection of claim 23.

## II. Allowable Subject Matter

Applicant notes with appreciation the Examiner's indication that claims 2-3, 9-10, 16-17 and 22-25 would be allowable if rewritten to include all of the limitations of the base claim any intervening claims.

## CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 3/9, 2004



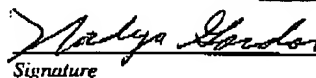
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### CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

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March 9, 2004

Date